



NEW YORK STATE SENATOR

Liz Krueger

Statement From Senator Krueger On Dismissal Of Stahl Lawsuit Against Landmarks Preservation Commission

LIZ KRUEGER January 11, 2016

| ISSUE: **HOUSING, AFFORDABLE HOUSING, LANDMARKS**

New York – State Senator Liz Krueger released the following statement today in reaction to the decision by a State Supreme Court judge to dismiss an Article 78 case brought by Stahl York Avenue LLC against the City of New York and the Landmarks Preservation Commission. Earlier this year Senator Krueger joined other East Side elected officials, Borough President Gale Brewer, and many preservation groups to file [an amicus brief](#) in the dispute over landmarking two buildings on 64th and 65th Streets, known as the "First Avenue Estates":

“I have been fighting for over a decade to ensure that these two buildings become and remain landmarked. This decision is a critical victory for the dozens of rent regulated tenants who remain in the buildings, and all tenants living in landmarked buildings across the city whose homes could have been jeopardized had the case been decided in Stahl's favor. This is also a huge win for the historic preservation community as a whole and the Upper East Side in particular. I thank the Friends of the Upper East Side Historic Districts for their leadership role in this decades-long fight.”

Background:

Today's decision is the latest development in an effort that began in 1990 to landmark two buildings on the Upper East Side, 429 E 64th St. and 430 E 65th St. The buildings were landmarked in 2006, but the owners, Stahl Real Estate, filed numerous challenges to the decision in state and federal court. In 2012, Stahl filed a hardship application with the LPC to demolish the buildings, claiming that they could not receive a reasonable return from the landmarked properties. At the time, Sen. Krueger [submitted testimony](#) opposing the claim. After being denied the hardship application, Stahl filed federal and state appeals of the LPC decision claiming that the LPC acted "arbitrarily and capriciously" and engaged in an "unconstitutional taking". The Federal court ruled against Stahl in May of last year. On Friday, a State Supreme Court judge similarly ruled against Stahl on all counts.